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THE LAW SCHOOL. — The present efficiency of the school library gives interest and value, for purposes of comparison, to the following account of its early accessions and growth, for which we are indebted to the Librarian.

In the very interesting preface to the first edition of the catalogue of the library of the Law School, published in 1833, and edited by Charles Sumner, then a student in the school, reference is made to the catalogue of the library of the university, published in 1723, which, he says, enables us to see the extent of this collection, and what portion of it is related to law. The whole number of volumes of the common law in that catalogue is seven; namely, Spelman's Glossary, Pulton's Statutes, Keble's Statutes, Coke's First and Second Institutes, and a couple of volumes of the Year Books.

Mr. Sumner then proceeds to sketch the establishment and growth of legal education, particularly in the university, and, in connection with such growth, the rapid increase of the collection of legal works. He mentions the chief benefactors of the library, — Hollis, Gardiner, Gore, Story, and Livermore, — and describes a few of the most valuable and important works embraced among the books thus acquired. The law library at this time (1833) contained about 3100 volumes.

Shortly after the catalogue was prepared, the library was enriched by the bequest of Samuel Livermore, Esq., of his entire library of works on Roman, Spanish, and French law. The number of volumes in this collection was about 450.

It should be mentioned that, previous to 1832, when Dane Hall was built, the Law School occupied two rooms in College House. One was the private room of Judge Story and contained his library; the other was the lecture-room, and was also used by the students as a reading-room. The university at this time possessed but few works on the law, and most of these were kept in the general library, and not in the Law School.

Soon after Judge Story's appointment the corporation purchased his library consisting of over 1,000 volumes, the students having been kindly permitted the use of his books previous to such purchase. The books thus obtained, with the few works on law previously mentioned, formed the nucleus from which the law library as a separate collection has grown; the 3,100 volumes of 1833 having increased to more than ten times that number in 1893.

ANNUAL REPORT OF THE ATTORNEY-GENERAL OF MASSACHUSETTS. — CORRECTION. Last month the REVIEW adopted the Attorney-General's statement that *Com.* v. *Trefethen* was the first case where a capital conviction had been reversed in Massachusetts. It now appears that in *Com.* v. *Hardy*, 2 Mass. 303, a capital conviction secured before Supreme Court sitting *in banc* was reversed by them, and upon a second trial the prisoner was acquitted. So *Com.* v. *Trefethen* is at least not the first case.

COUNSEL AND COURT. — It has often been regretted that American methods of reporting do not reach the colloquy between judges and counsel in the course of the argument. Lately, in England, a manufacturer who had bought belting for his machinery "warranted for ten years," insisted upon using it after it was useless, and in order to sue each year for the accruing damages. When his counsel appeared in court to press this claim the following dialogue took place: —

Lord Coleridge: "And you actually insist that your client, the plaintiff, may go on using a thing which he says is of no use, not for the purpose of using it, but for the purpose of bringing repeated actions for his not being able to use it; and that, too, notwithstanding an offer to take it back and return the money?" *Chitty* (for the plaintiff): "Yes, that is our claim." *Lord Coleridge:* "Then we will try if the law will not enable us to resist it." *Chitty:* "This is not a court of morals but a court of law." *Lord Coleridge:* "True, and what is morality is not always law; but the law ought to be in accordance with morality; and we will try and see if it be not so here. . . ." (10 Times Law Reports, 225.) And the court dismissed the claim. Surely no opinion sent down in cold writing, after the argument, could so effectually dispose of the idea that there is any right to heap up damages for others to pay, unless, as in Shylock's case, it is "so nominated in the bond," and, perhaps, — as in Shylock's case, — not then.

THE REFERENDUM. — That provision of the Constitution of Massachusetts which enables the Legislature to consult the Supreme Court upon judicial questions of importance has recently been put in use to obtain opinions upon what is known as the referendum. The Legislature asked whether it was constitutional to provide that an act (one granting suffrage to women) should take effect (1) throughout the Commonwealth, (2) in cities and towns, upon acceptance by voters; and also whether it could provide that women specially registered might vote upon the first question. The bare majority answered in the negative, Knowlton, J., with them on the first and third questions; Holmes and Barker, JJ., dissenting altogether. The majority base their answer upon the theory that